

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOEL F. HOLUBAR, et al.,)
)
)
Plaintiffs,)
v.) CIVIL ACTION
)
) NO. 03-12404-NG
KENT KHOLBERGER et al.,)
)
)
Defendants.)

SCHEDULING ORDER

Following a status conference held today in accordance with Fed. R. Civ. P. 16(a), it is hereby ORDERED as follows:

1. By the close of business today, **June 29, 2005**, the plaintiff shall produce to the defendants, by fax or by hand, the itemized statement of damages. The defendants shall notify the court by **June 30, 2005** if they do not receive the plaintiff's statement.
2. Any independent medical examination of the plaintiff, Joel F. Holubar, shall occur before **July 29, 2005**.
3. The deposition of the plaintiff, Joel F. Holubar, shall be completed before **July 29, 2005** and shall occur prior to the deposition of Mr. Chase.
4. The deposition of Mr. Chase shall be completed by **July 29, 2005**. If possible, the deposition shall take place the day after Mr. Holubar's deposition.
5. If any of the events listed in paragraphs 1 through 4 has not been completed by July 29, 2005, it will be deemed waived. The court will allow no more continuances.
6. The next status conference will occur **by telephone** and will take place on **Friday, August 12, 2005, at 10:00 a.m.** At that time, the parties shall be prepared to discuss:

- (a) the status of the case;
 - (b) scheduling for the remainder of the case through trial;
 - (c) the use of alternative dispute resolution (“ADR”) programs; and
 - (d) consent to trial before the Magistrate Judge.
7. The parties shall submit a brief joint statement no later than five (5) business days before the conference addressing the issues itemized in paragraph 6 above. With respect to the use of ADR and having the matter tried by a Magistrate Judge, the parties shall indicate whether an agreement has been reached, but are not obligated to identify their respective positions.

/ s / Judith Gail Dein

Judith Gail Dein
United States Magistrate Judge

DATED: June 29, 2005